

## REMARKS

This is an amendment and response to the Office Action dated July 18, 2002, where the Examiner has rejected claims 1-55. By the present amendment and response, claims 28 and 30 have been canceled while claims 1-27, 29, and 31-55 remain in the present application.

Reconsideration and allowance of pending claims 1-27, 29, and 31-55 in view of the following remarks are respectfully requested.

The Examiner has rejected claims 1-55 under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,377,464 to Hashemi, et al. (hereinafter “the Hashemi, et al. reference”). Applicants submit that the present invention, as defined by pending claims 1-27, 29, and 31-55, is patentably distinguishable over the Hashemi, et al. reference. In any event, applicants can swear behind, and do hereby swear behind, the January 29, 1999 priority date of the Hashemi, et al. reference under 37 C.F.R. § 1.131.

Under 37 C.F.R. § 1.131, the inventors of the claimed invention may submit an appropriate declaration to overcome a reference. The showing of facts shall be such as to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from prior to the effective date of the reference to a subsequent reduction to practice or to the filing of the application. See 37 C.F.R. § 1.131. Applicants respectfully submit that all pending claims 1-27, 29, and 31-55 are allowable over the Hashemi, et al. reference based on the following remarks.

Pursuant to 37 C.F.R. § 1.131, attached are declarations from inventors, Hassan S. Hashemi and Kevin J. Cote, including a copy of page 24 of the document entitled “Packaging Technology Development Program,” dated September 1998. Applicants have also attached a

copy of pages 1 and 3 of the document entitled "Package Design Group Monthly Report," dated January 29, 1999, authored by inventor Hassan S. Hashemi.

**1. Packaging Technology Development Program Document**

The Examiner will note that page 24 of the document entitled "Packaging Technology Development Program" (hereinafter "the Packaging Program") shows a design, testing, and analysis program directed to "LGA-QNL Package Development" on September 1998, which predates the priority date of January 29, 1999 of the Hashemi, et al. reference. The Packaging Program indicates, among other things, qualification of a "new family of LGA-QNL laminate grid array packages for low to mid-lead count high performance applications." As declared by the inventors, Hassan S. Hashemi and Kevin J. Cote, in the attached declarations, the "LGA-QNL" development project referred to in the Packaging Program is directed to the present invention as defined by pending claims 1-27, 29, and 31-55.

**2. Package Design Group Monthly Report**

The Examiner will further note that pages 1 and 3 of the document entitled "Package Design Group Monthly Report" (hereinafter "the Package Report") further shows design, testing, and analysis efforts directed to "RF-LGA" packages. Although the printed date of the Package Report is the same as that of the priority date of the Hashemi, et al. reference, i.e., January 29, 1999, inventors, Hassan S. Hashemi and Kevin J. Cote, have declared, in the attached declarations, that the design, testing, and analysis efforts described in the Package Report were completed prior to the printed date of January 29, 1999. As such, the Package Report evidences design, testing, and analysis efforts of the present invention which pre-date the priority date of the Hashemi, et al. reference.

As declared by the inventors in the attached declarations, the "RL-LGA" packages referred to in the Package Report are directed to the invention defined by claims 1-27, 29, and 31-55. Referring to the Package Report, page 1 of the Package Report, indicates that "one RF-LGA" was "designed and submitted for procurement." As such, design and testing of the invention was completed prior to the effective date of the Hashemi, et al. reference.

Page 3 of the Package Report, further indicates that test and analysis efforts were performed to test the "solder joint reliability" of a RF-LGA package. The tests and analyses indicated, for example, that the RF-LGA package family exhibited "low plastic strain levels (0.5 - 0.9%) for all design considerations examined." Also described is a "3.5mm x 4.0mm" embodiment of the RF-LGA which has "plastic strain levels around 0.8%."

Applicants respectfully submit that the Packaging Program and the Package Report evidence that the invention of the subject matter in the present application, as defined by claims 1-27, 29, and 31-55, was conceived and reduced to practice prior to January 29, 1999. Alternatively, as declared in applicants' declarations, applicants respectfully submit that the Packaging Program and the Package Report evidence that the invention of the subject matter in the present application, as defined by claims 1-27, 29, and 31-55, was conceived prior to January 29, 1999 and that applicants exercised due diligence in reducing the invention to practice by, at latest, February 17, 1999 which is the filing date of a parent application Serial No. 09/252,851 (which is in turn the parent of application Serial No. 09/713,834, filed November 15, 2000, from which the present application claims priority).

Accordingly, applicants respectfully request that the rejection of pending claims 1-27, 29, and 31-55 under 35 U.S.C. §102(e) be withdrawn. For all the foregoing reasons, an early allowance of claims 1-27, 29, and 31-55 pending in the present application is respectfully requested.

Respectfully Submitted;  
FARJAMI & FARJAMI LLP

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Michael Farjami, Esq.  
Reg. No. 38,135

Michael Farjami, Esq.  
FARJAMI & FARJAMI LLP  
16148 Sand Canyon  
Irvine, California 92618  
Tel: (949) 784-4600  
Fax: (949) 784-4601

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Lori Llave

Name

Lori Llave

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